

U.S. Department of Justice



United States Attorney  
Southern District of New York

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86 Chambers Street  
New York, New York 10007

May 10, 2019

**BY ECF**

Honorable Paul A. Engelmayer  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Open Society Justice Initiative v. Central Intelligence Agency, et al.*,  
No. 19 Civ. 234 (PAE) (BCM)  
*Open Society Justice Initiative v. Department of Justice, et al.*,  
No. 19 Civ. 1329 (PAE) (BCM)

Dear Judge Engelmayer:

We write pursuant to the Court's scheduling order, ECF No. 30, to provide a further status update.

**State Department searches.** State has identified approximately 20,300 pages of potentially responsive pages in the Everest database, and previously identified approximately 2,868 potentially responsive pages in the State Archiving System database, which together total approximately 700 records. Because of the nature of the Everest database search, State believes that there is a fair amount of duplication in the Everest results, and anticipates that the actual page count will be substantially lower. State is currently working on de-duplicating the records. As previously requested by the parties, and ordered by the Court, State is submitting a letter brief and declaration on May 13, 2019 to support its proposal to process 300 pages of records per month, and plaintiff will file a responsive letter brief on May 20. *See* Dkt. No. 40. State is proceeding with processing at the rate of 300 pages per month in the interim.

In addition to the Everest and SAS records, State has been working to identify up to five custodians for each of the 13 previously identified State offices or components most likely to possess substantive responsive records. State has obtained almost all of this information, and so far has identified approximately 60,300 potentially responsive records associated with those custodians. The parties are attempting to further narrow that search.

**NSA.** NSA is in the process of de-duping the records and assessing how long processing will take and plans by May 15, 2019 to provide Plaintiff with a firm deadline for completing processing.

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**CIA and ODNI.** CIA and ODNI's searches are now complete and the agencies are working to provide a processing proposal to plaintiff by May 13, 2019.

**Other agencies.** DOD and DOJ's searches are ongoing and should conclude by May 29, 2019. FBI's search was previously completed.

We thank the Court for its attention to this matter.

Respectfully submitted,

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